

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TYRONE WILLIAM MAHAN,

Plaintiff,

Case No. 22-10489

v.

Hon. George Caram Steeh
Hon. Patricia T. Morris

NOAH NAGY, *et al.*,

Defendants.

_____ /

ORDER ADOPTING REPORT AND
RECOMMENDATION (ECF NO. 22)

On May 2, 2022, Magistrate Judge Patricia T. Morris filed a report and recommendation proposing that the court deny Plaintiff's motion for a temporary restraining order. The court granted Plaintiff Tyrone William Mahan, a pro se prisoner, additional time to submit objections, which he did on June 15, 2022.¹

With respect to reports and recommendations from magistrate judges, this court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which

¹ Plaintiff's objections were lodged in a 141-page document that exceeds the scope of the magistrate judge's report and recommendation. See ECF No. 35. The court solely addresses Plaintiff's objections to the report and recommendation here.

objection is made.” 28 U.S.C. § 636(b)(1)(C). The court “may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate.” *Id.*

Plaintiff seeks to enjoin Defendants from various acts, including transferring him to another prison, excessive room searches, delaying medical care, destroying legal material, violating his constitutional rights, and retaliation. The magistrate judge concluded that Plaintiff’s motion for a temporary restraining order should be denied because he failed to demonstrate certain and immediate irreparable harm. Although Plaintiff objects to this conclusion, he has not demonstrated how the magistrate erred, particularly in light of the substantial burden that is required to establish an entitlement to such extraordinary relief, especially in a prison setting. Some of Plaintiff’s objections appear to relate to the merits of his claim; the court notes that the magistrate judge did not address the merits or dismiss Plaintiff’s claims, but merely determined that Plaintiff is not entitled to a temporary restraining order at this time.

The court agrees with Magistrate Judge Morris’s well-reasoned and thorough report and recommendation. Accordingly, IT IS HEREBY ORDERED that Plaintiff’s objections are OVERRULED and the report and recommendation (ECF No. 22) is ADOPTED as an order of this court.

IT IS FURTHER ORDERED that Plaintiff's motion for a temporary restraining order (ECF No. 19) is DENIED.

Dated: July 13, 2022

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on July 13, 2022, by electronic and/or ordinary mail and also on Tyrone William Mahan #264524, G. Robert Cotton Correctional Facility, 3500 N. Elm Road, Jackson, MI 49201.

s/Brianna Sauve
Deputy Clerk